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### SUPPLEMENT TO CLAIM 63513

September 6, 2011

Honorable Robert E. Gerber United States Bankruptcy Judge Room 621, United States Bankruptcy Court Southern District of New York One Bowling Green New York, New York 10004



RE: Chapter 11 Case No. 09-50026 (REG)
Motors Liquidation Co., et al., GUC Trust
F/K/A General Motors Corp., et al. Debtors

NOTICE OF RESCHEDULING OF HEARINGS SET FOR AUGUST 16, 2011 AND ADJOURNMENT OF ALL MATTERS

CLAIMANTS' SPECIFIC ADJOURNMENT MATTER IS PAGE 43, ITEM 75. B. (ECF NO. 10422)

This supplements the claimants' letter, dated June 6, 2011 (copy enclosed), to the Honorable Robert E. Gerber and petitions this court to accept the enclosed General Motors Corportion documents, dated March 3, 1997 and June 2009, showing claimant Diana Bogucki receiving Continuing Life Insurance for the rest of her life in the amount of \$11,897 and then reduced to \$10,000.

Costs for healthcare of all former General Motors Salaried and Retired employees has increased exponentially, and we petition the court to consider all costs before rendering its decision.

### SUPPLEMENT TO CLAIM 63513

Thank you.

Diana Bogucki and Walter M. Bogucki Claimants of Claim No. 63513

565 South Creek Court

Traverse City, MI 49696-8614

Tel.: (231) 995-9077

Enclosures d.c.

June 6, 2011

Honorable Robert E. Gerber United States Bankruptcy Judge Room 621, United States Bankruptcy Court Southern District of New York One Bowling Green New York, New York 10004

RE: Chapter 11 Case No. 09-50026 (REG)
Motors Liquidation Co., et al., GUC Trust
F/K/A General Motors Corp., et al. Debtors

Response to Notice of 226th Omnibus Objection to Claims, dated May 20, 2011.

The undersigned Claimants respectfully petition this court to reinstate their Claim No. 63513 and weigh their claim on its merits.

In 2008 and 2009, specifically the United Auto Workers (U.A.W.) for the General Motors (G.M.) unit, were paid a sum of \$32 billion by G.M. to be placed into the care and custody of the U.A.W. for the purpose of administering healthcare and other benefits. Discriminatory ????????

It is believed the U.A.W. was to establish the Voluntary Employee Benefit Association (V.E.B.A.) to administer the \$32 billion and related benefits in accordance with I.R.S. Code 401C. It is believed that no such generous opportunity was given the salaried retirees, employees and certain executives who are paying substantially higher medical and pharmaceutical costs because of this bankruptcy. Discriminatory ??????

This Chapter 11 bankruptcy should perhaps have been a Chapter 7. Something doesn't feel quite right.

Thank you for considering our objection and plea to reinstate our claim.

Diana Bogucki and Walter M. Bogucki (spouse)

Claimants of Claim No. 63513

565 South Creek Court

Traverse City, MI 49696-8614

Tel.: (231) 995-9077

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GM NATIONAL RETIRES SERVICING CENTER

NAO Personnel Administration P.O. Box 5113 Southfield, Michigan 48086-5113 1-800-828-9236 TDD 1-800-872-8682

March 03, 1997

Diana Bogucki 8148 Island Blvd. Grosse Ile, MI 48138-1389

Dear Diana Bogucki,

As a retiree of General Motors with 10 or more years of participation in the Life and Disability Benefits Program, you are eligible for Continuing Life insurance.

Our insurance records, as of the date of this letter, show the <u>Continuing Life insurance</u> has now fully reduced to the ultimate amount of \$11,897.00. This ultimate amount will remain in effect for the rest of your life and is provided by General Motors at no cost to you.

IMPORTANT: YOU SHOULD KEEP THIS NOTICE WITH YOUR OTHER VALUABLE PAPERS.

If you have any questions regarding this letter, you may call toll-free, 1-800-828-9236 (Telephone Device for the Deaf 1-800-872-8682), during normal business hours, or write to the address above.

Always include this Social Security number, 381-30-6368, in all your correspondence.

**Retiree Servicing Center** 

**UA01** 



#### Dear GM Retiree:

As part of GM's announcements on June 1<sup>st</sup>, we acknowledged some of the significant sacrifices that our salaried employees and retirees will be making to support the reinvention of General Motors. We also communicated that we would be reducing the obligations for certain retiree benefits by roughly two-thirds.

We have now finalized the changes that we need to make in order to achieve the required two-thirds reduction. As promised, I am sharing this information with you as quickly as possible. These are very difficult changes to make, but unfortunately necessary to position the New GM to win – and win now. These changes are described below. As always, all benefits are at all times subject to the terms of each plan.

## Basic Life Insurance in Retirement

For current retirees eligible for Basic Life Insurance in retirement (those whose service date was prior to January 1, 1993) the amount of Basic Life Insurance provided by GM is being reduced to \$10,000 (retirees with less than \$10,000 will remain at that level of life insurance). This change will be effective on the first of the month following the New GM sale closing.

Retirees impacted by these reductions will have an opportunity to supplement their remaining employer provided Basic Life Insurance by enrolling in a Voluntary Life Insurance program through MetLife. This program will not require "proof of good health". Enrollment for this program will be in the third quarter of this year.

During the first two years of participation in the program, the death benefit available will be equal to the amount of the premiums paid. Following two years of premium contributions, the full amount of coverage elected will be payable in the event of your death. Details regarding the program will be mailed to you from MetLife in the third quarter.

### Non Medicare Retiree Health Care

Effective January 1, 2010, the General Motors Salaried Health Care Program will be further modified for salaried retirees, surviving spouses and their eligible dependents. Individuals impacted by this change include:

- Salaried retirees, surviving spouses and their dependents eligible to enroll or who currently are enrolled in the GM Salaried Health Care Program, and
- Current employees who are eligible to enroll in the GM Salaried Health Care Program upon retirement.

The new plan design will include benefits and coverages for medical and prescription drugs <u>only</u>, and dental, vision, and extended care coverage will be cancelled. Cost sharing provisions (e.g., monthly contributions, deductibles, coinsurance and out of pocket maximums) will increase substantially.

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June, 2009

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For salaried retirees, the changes will exceed the changes that otherwise would be required under the current salaried retiree cap that was implemented on January 1, 2007. However, this acceleration of cost share is necessary at this time to facilitate GM's restructuring plan.

In this regard, the 2006 caps have been updated to reflect an additional increase in overall cost sharing. Going forward, the revised caps will be the basis for annual plan design changes necessary to maintain capped levels. When the average costs exceed the revised caps established under the 2010 design, then additional plan changes that affect cost-sharing features of program coverage will be implemented.

Please note that the GM Benefits and Services Center and current GM health plan carriers do not have any additional information regarding these announced changes. Further details of these changes will be communicated directly to impacted employees and retirees in the fall as part of the 2010 Annual Enrollment.

I realize the sacrifices that we need to make will be very difficult for you and your families. While the actions we are taking to reinvent GM are many and affect a vast range of stakeholders, the impact on former employees such as yourself, who dedicated so many years to the service of General Motors, is unquestionably very difficult. Much has changed from the Company I joined over 20 years ago, however, I am confident the many steps we are taking will establish a foundation for the New GM that will win in the future. I appreciate your continued support of GM.

Sincerely,

Frederick A. Henderson

President and Chief Executive Officer



### **Questions and Answers Regarding the Recently Announced Benefit Changes**

#### **HEALTH CARE CHANGES AS OF JANUARY 1, 2010**

- Q. What salaried retiree health care changes did GM announce?
- A. Effective January 1, 2010, retirees, surviving spouses and their eligible dependents will only be eligible for medical and prescription drug coverages under the GM Salaried Health Care Program. Medical coverage includes behavioral health and substance abuse, durable medical equipment including prosthetic and orthotic appliances, and hearing. Effective January 1, 2010, dental, vision and extended care coverages will cancel. In addition, cost sharing provisions (e.g., monthly contributions, deductibles, coinsurance and out of pocket maximums) under the Salaried Health Care Program will increase substantially.
- Q. Who is impacted by these changes?
- A. These changes impact current and future retirees and surviving spouses (including dependents) who are eligible for GM contributions towards health care in retirement. They also impact those who are eligible to participate in the GM Salaried Health Care Program on a self-pay basis.

#### **DENTAL, VISION and EXTENDED CARE COVERAGE (ECC)**

- Q. When will salaried retiree dental, vision, and extended care coverages cancel?
- **A.** January 1, 2010.
- Q. Can I self-pay for dental, vision or ECC through the GM Salaried Health Care Program?
- A. No.
- Q. Will I be offered COBRA for dental or vision when they are cancelled?
- A. This is still under consideration at General Motors.
- Q. Will I be offered COBRA for Extended Care Coverage when this is cancelled?
- A. No. The COBRA statutes do not apply to ECC.
- Q. Can I purchase dental and/or vision coverage on my own?
- A. Yes. Dental and vision products are available publically for individual purchase.



- Q. Will I be able to purchase Extended Care Coverage (ECC) on my own?
- A. No. ECC is a unique benefit to the GM Salaried Health Care Program. Individuals interested in the long term custodial care feature of ECC should look into purchasing Long Term Care insurance.

#### **LIFE INSURANCE**

- Q I understand that Basic Life Insurance has been reduced to a flat \$10,000 for current retirees. Can I purchase any coverage to replace this?
- A. Yes. GM is working with MetLife to make this opportunity available for current retirees but GM will not sponsor or administer this plan. Yes. Additional information will be provided in the third quarter on coverage available on a self-pay basis, and you will be encouraged to consider that and other options that you might independently identify. The Voluntary Insurance program will be provided without the requirement of "proof of good health". During the first two years of participation in the program, the death benefit available will be equal to the amount of the premiums paid. Following two years of premium contributions, the full amount of coverage elected will be payable in the event of your death.

#### SALARIED RETIREMENT PROGRAM

- Q Will the Salaried Retirement Program benefits be reduced after the 363 sale?
- A. The Salaried Retirement Program (SRP) is a qualified pension plan protected under the Employee Retirement Income Security Act (ERISA). We have confirmed that we do not plan on terminating the plan or reducing SRP benefits as a result of the 363 sale. However, GM continues to reserve the right to amend, modify and terminate employee benefit plans in the future.

General Motors reserves the right to change, amend, modify, suspend or terminate its employment practices, policies, employee benefit plans or programs at any time. This document provides general information only. In the event of a conflict with the official plan documents, the plan documents will control.

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June, 2009